

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARC H. FISHMAN,

Plaintiff,

NOTICE OF MOTION

-against-

19 CIV 265 (NSR)

CITY OF NEW ROCHELLE, WESTCHESTER
COUNTY, et al.

Defendants.
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PLEASE TAKE NOTICE, that upon the annexed Declaration of Taryn A. Chapman-Langrin, Associate County Attorney, of Counsel to John M. Nonna, Westchester County Attorney, Attorney for Defendant Westchester County (“County Defendant”) and the accompanying Exhibit, and proceedings heretofore had herein, the County Defendant will move this Court before the Honorable Nelson S. Román, United States District Judge, Southern District of New York, United States Courthouse, 300 Quarropas Street, White Plains, New York, on September 16, 2020, or as soon as Counsel can be heard, requesting an Order dismissing the Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and for such other relief as this Honorable Court deems just and proper.

Opposition papers if any, shall be served no later than September 1, 2020, and reply papers, if any, shall be served no later than September 16, 2020. Pursuant to Federal Rule of Civil Procedure 12(a) and Local Civil Rule 33.2(d)(ii), the County of Westchester requests that all initial disclosures and discovery for this action be stayed pending the outcome of this Motion.

Dated: White Plains, New York
July 17, 2020

JOHN M. NONNA
Westchester County Attorney
Attorney for County Defendant

BY: 

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